

REMARKS:

The Office action mailed February 23, 2006 has been received and carefully considered. A request for continued examination has been filed herewith. Reconsideration of the application as amended hereby is respectfully requested.

Claims 1 to 7, 9 to 13 and 15 to 19 were rejected as anticipated by the Morrison'642 patent. Looking first at Claim 1, it is believed that the flange called for in paragraph b was either missed or ignored in the rejection. A flange has a face that includes an outwardly projecting portion that allows the flange to interlock with a mating flange and provide splay resisting structure, yet can be easily rotated and advanced into a receiving structure having a mating helical flange which in the specification is formed on the inside surfaces of the upstanding arms of a bone screw.

While Morrison is directed to a reverse angle thread utilized on a closure wherein the reverse angle nature of the thread modifies the direction of forces and reduces the likelihood of splaying, the Morrison thread is simply a type of V-thread that does not interlock with a receiving structure and which has leading and trailing surfaces that can slide radially sideways relative to a corresponding thread surface of the receiving structure.

Although it is believed that the term "flange" clearly distinguishes the guide and advancement structure of applicant from the reverse angle thread of Morrison, additional language has been added that calls for the flange being sized and shaped to interlock with a mating flange. This structure is described, for example, on page 12 of the specification between lines 7 and 17 and is clearly shown in Fig. 8.

Independent Claims 9 and 15 have been amended in a manner similar to 1 and are believed to distinguish over Morrison for the same reason as Claim 1, as do the Claims that depend from 1, 9 and 15.

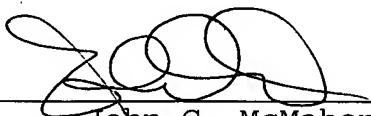
Claims 8, 14 and 20 were rejected as being obvious in view of Morrison. The Office action indicates that "threads having an enlarged peripheral region and reverse angle threads are functionally equivalent anti-splaying thread form known in the art". Firstly, flange forms in accordance with the present invention are not functionally equivalent to reverse angle threads. The flange forms of the present invention interlock with mating structure and reverse angle threads do not. In particular, flange forms interlock to prevent radial sliding movement relative to each other once they are rotated together. All V-threads including reverse angle threads can slide radically along a mating thread. Secondly, "helically wound threads having an enlarged peripheral region" are not known in the prior art and

were first developed by the inventor of the present application and disclosed in his earlier application serial No. 10/236,123, now patent 6,726,689 from which this application takes priority. If the Examiner is aware of other prior art that is not cited herein, the Examiner is hereby requested to present this prior art under Rule 104(d), which indicates that such must be supported by affidavit, so that applicant can appropriately reply to it. If such art is not cited, it is believed that this rejection should be withdrawn.

In view of the above it is urged that all pending claims are allowable over the art of record and notice to this effect is earnestly requested.

The Examiner is invited to contact the undersigned by telephone, if prosecution of this application can be expedited thereby.

Respectfully Submitted,

  
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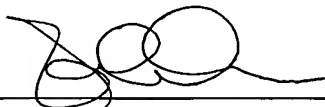
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May 23, 2006.

Roger P. Jackson  
(Applicant)

By



May 23, 2006

(Date of Signature)